Points to Ponder

Mishpatim/Shekalim 5781

**וְאֵ֨לֶּה֙ הַמִּשְׁפָּטִ֔ים אֲשֶׁ֥ר תָּשִׂ֖ים לִפְנֵיהֶֽם And these are the Mishpatim (21:1)** -  **Rashi** notes that the connection between this section and the one before it teaches us that that the sanhedrin needs to be near the Mizbeiach. Why? **Rav Schachter Shlita** explained that in general we say “Sod Hashem Liyireiav Uvris Lihodiam”  -- that Hashem promised siata dishmaya to all the chachamim. But the Sanhedrin needs a higher level of Siyata dishmaya because their rulings are binding on everyone in a global way. Being close near the mizbeach will give them that extra Divine influence.

**וְאֵ֨לֶּה֙ הַמִּשְׁפָּטִ֔ים אֲשֶׁ֥ר תָּשִׂ֖ים לִפְנֵיהֶֽם These are the social laws which you shall set before them (21:1) - Rashi** notes that the Mishpatim here are combined with the preceding one to teach us that all of the Mitzvos, like the Aseres HaDibbros, are Divine. **Rabbi Dr. Abraham J. Twerski ztl.** explained that the Torah wanted us to know that even the socially conscious Mishpatim are not subjected to the interpretation of society at a particular moment in time. Even those Mitzvos are not open to reinterpretation or suggested reapplication or disbandment. Torah is Divine and it cannot be subjected to social whims.

**וְרָצַ֨ע אֲדֹנָ֤יו אֶת־אָזְנוֹ֙ בַּמַּרְצֵ֔עַ You will pierce his ear with an awl (21:6)** - Why do we pierce his ear specifically? The Gemara (Kiddushin 22b) notes that the ear that heard that Bnei Yisrael are to be servants to me alone, now wants to subvert that message and should not be pierced? **Rav Belsky ztl.** explained that the Gemara notes that the primary Eved Ivri is the one who stole and needs to be sold to repay his debt. The purpose of his punishment is to get him to do Teshuva. But if he himself does not want to do Teshuva and prefers to remain a servant, how could he not get his ear pierced? His ear didn’t get the message and is not working properly. Rav Belsky added that there are many types of ways that people become enslaved and it becomes a challenge to get their ears to listen.

**בַּ֤עַל הַבּוֹר֙ יְשַׁלֵּ֔ם The owner of the pit shall pay (21:34)** - Who owns a pit in the public domain? Rashi notes that  the owner of the pit is the one who created it -- as the pitfall**. Rav Gamliel Rabinowitz Shlita** explained that the Torah assigns the ownership to him as a means to make him Chayav for the damages even if he has nothing to do with it. The same can be said to the one who creates a situation of sin (he was talking about talking in a Shul) even if he no longer engages in it, it still translates back to him.

**שֵׁ֤שֶׁת יָמִים֙ תַּֽעֲשֶׂ֣ה מַֽעֲשֶׂ֔יךָ וּבַיּ֥וֹם הַשְּׁבִיעִ֖י תִּשְׁבֹּ֑ת 6 days you shall do your actions..so that your ox and donkey shall rest (23:12)** - The reason for Shabbos is so that your donkey rests? **Rav Zevin ztl.** explained that the rest here is not just physical, it is cognitive too. Shabbos is a chance for us to rest even from things on your mind -- including the donkey!

**וַיִּכְתֹּ֣ב משֶׁ֗ה אֵ֚ת כָּל־דִּבְרֵ֣י ה Moshe wrote all of the words of Hashem (24:4)** - Clearly this recording was not Moshe writing “the Torah” as he was not yet commanded to write the Torah yet. Why did he write this? **The Brisker Rav ztl.** suggested that there was a second work called Sefer HaBris that **Rashi** explained contained Jewish history from creation to Marah including the Mizvos there. By virtue that those Mitzvos are not mentioned in our Torah, clearly the work is not the same. **Rav Dovid Soloveitchik ztl.** added that **Tosafos** in Gittin (60a) questions how Moshe wrote the Sefer HaBris if one assumes that the Torah was not given in sections. However, based on the comment of his father the Griz ztl., Rav Dovid explained that the Sefer HaBris does not pose a challenge since it is given as a separate work, not as part of Torah.

**וַיִּקַּ֤ח משֶׁה֙ חֲצִ֣י הַדָּ֔ם And half the blood (24:6)** - The **Midrash** notes that the dividing of the blood was exact without one part falling over into the other. It was achieved with a Malach (Rashi Shemos 23:20 says it was Mattatron) appearing in the form of Moshe to make sure the measurement was 100% accurate. Similar to the Half Shekel of Parshas Shekalim where Hashem intervened to show Moshe what exactly a “Half-Shekel” was, here too, the Half was achieved through intervention from Shomayim. Why? **Rav Shmuel Brazil Shlita** suggested that in the case of the blood and the Shekel, the concept of halves demonstrates that Am Yisrael and Hakadosh Baruch Hu share an equally unshakable bond with one another. Both agree to stand by one another and never leave or let go.

Haftara

**Haftaras Shekalim -  בְּבֽוֹא־אִישׁ֙ בֵּ֣ית יְהֹוָ֔ה וְנָֽתְנוּ־שָׁ֚מָּה הַכֹּֽהֲנִים֙ שֹׁמְרֵ֣י הַסַּ֔ף אֶת־כָּל־הַכֶּ֖סֶף הַמּוּבָ֥א בֵית־יְהֹוָֽה** (Melachim Ii: 12:10) Why was Yehoash so adamant that all the monies needed to be given to the Beis Hamikdash? Why didn’t he just pay the needs of the Beis Hamikdash from the royal treasury? And why is there a special Shabbos to focus on the ideas of a Half-Shekel? Other Mitzvos do not get this treatment?! **Rav Gideon Weitzman Shlita** suggested that Yehoash wanted the people to have a personal connection to the Beis Hamikdash. Therefore he wanted their donations to be direct. Rav Weitzman added that there is a connection in this Mitzva to Pesach as well. Redemption, celebrated during this time, is not just about leaving Mitzrayim, it is about having the ability and freedom to use our entire being and possession to serve Hashem.